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PTO/SB/30 (08/00)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<i>4-12 RCE</i>	Application Number <b>09/879,351</b>
Filing Date	June 12, 2001
First Named Inventor	Yasuhiro Toguri
Group Art Unit	2614
Examiner Name	Nathan A. Sloan
Attorney Docket Number	450100-03281

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50992 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under C.F.R. § 1.114.

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- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on May 9, 2003  
(Any unentered amendment(s) referred to above will be entered)
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Preliminary Amendment
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_

2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b.  Other \_\_\_\_\_

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

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- a.  Checks in the amounts of \$750.00 and \$110.00 are enclosed for the following:
 

<input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)	01 FC:1801	750.00 OP
<input checked="" type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.17)	02 FC:1251	110.00 OP
<input type="checkbox"/> Other _____		
- b.  The Director is authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0320.
- c.  Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	William S. Erommer	Registration No. (Attorney/Agent)	25,506
Signature			
Date	June 16, 2003		

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United State Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Mail Stop RCE, Commissioner For Patents, P. O. Box 1450, Alexandria, VA 22313-14350, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Barnet Shindlman
Signature	
Date	June 16, 2003
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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